

SN114,488



**UNITED STATES DEPARTMENT OF COMMERCE
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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
06/111,488	01/14/80	KLAWITTER	J

FITCH, EVEN AND TABIN
135 S. LA SALLE ST.
CHICAGO, IL 60603

EXAMINER	
FRINKS, R	
ART UNIT	PAPER NUMBER
337	5

DATE MAILED: 06/15/81

This is a communication from the examiner in charge of your application.

COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined.

Responsive to communication filed on JAN. 14, 1981

This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. Notice of References Cited by Examiner, PTO-892
2. Notice of Informal Patent Drawing, PTO-948
3. Notice of References Cited by Applicant, PTO-1449
4. Notice of Informal Patent Application, Form PTO-152

5. _____

Part II SUMMARY OF ACTION

1. Claims 1-18 are pending in the application.

Of the above, claims _____ are withdrawn from consideration.

2. Claims _____ have been cancelled.

3. Claims 1-13 & 16-18 are allowed.

4. Claims 14 & 15 are rejected.

5. Claims _____ are objected to.

6. Claims _____ are subject to restriction or election requirement.

7. The formal drawings filed on _____ are acceptable.

8. The drawing correction request filed on _____ has been approved. disapproved.

9. Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has
 been received. not been received. been filed in parent application, serial no. _____,

filed on _____

10. Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

11. Other

Paper No. 5

PART III

SERIAL
NUMBER

114,488

GROUP ART UNIT
337

NOTIFICATION OF REJECTION(S) AND/OR OBJECTION(S) (35 USC 132)

	CLAIMS (1)	REASONS FOR REJECTION (2)	REFERENCES * (3)	INFORMATION IDENTIFICATION AND COMMENTS (4)
1	14,15 102	35 USC E		NOTE THAT THE LEAFLETS 30R, 30L (E, 30'R, 30'L) IN E ARE "CYLINDRICAL SEGMENTS", (SEE COLUMN 3, LINES 57-62) AND HENCE ARE "A SECTION OF A TUBE" AS CLAIMED. THE SLOTS 44' QUALIFY AS "DEPRESSIONS" (CLAIM 15).
2	14,15 103	35 F/G V/A/E		To fashion the leaflets of either F or G as curved leaflets formed as a section of a tube would be an obvious design expedient since either A or E teach such a shape for bileaflet heart valves to be oblique.
3	1-13, 16-18	— —	— —	APPEAR TO BE FREE OF THE ART AND ARE ALLOWED.
4	— —	B,C,D, L		Cited for the record since they WERE FURNISHED WITH APPLICANT'S PRIOR ART STATEMENT. IT SHOULD BE NOTED THAT D ALSO SHOWS PIVOTED LEAFLETS WHICH ALSO DISPLACE IN THE DOWNSTREAM DIRECTION IN RESPONSE TO BLOOD FLOW
5				G AND M SHOW OTHER BILEAFLET HEART VALVES HAVING PIVOT STRUCTURES SIMILAR TO THOSE DISCLOSED BY APPLICANT.
6				THE FOLLOWING ARE BELIEVED TO BE MINOR ERRORS IN THE APPLICATION: PAGE 4, LINE 19 AND PAGE 5, LINE 8, "FIGURE 5" SHOULD READ -- FIGURE 11 --; PAGE 9, LINE 21, THE TERM "PARTIAL" DOES NOT APPEAR TO MAKE SENSE IN THE RECITED SENTENCE. THE FOLLOWING TERMS ARE MISSPELLINGS: "POASSAGeway" (PAGE 11, LINE 14), "bloode" (PAGE 10, LINE 16 AND PAGE 16, LINE 22), "SURVACES" (PAGE 20, LINE 26) AND "dorce" (PAGE 25, LINE 3). CORRECTION IS REQUIRED.

* Capital letters representing references are identified on accompanying Form PTO-892

The symbol "v" between letters represents - in view of -.

The symbol "+" or "&" between letters represents - and -.

A slash "/" between letters represents the alternative - or -.

NOTE: Sections 100, 101, 102, 103, and 112 of the Patent Statute
(Title 35 of the United States Code) are reproduced on the
back of this sheet.

EXAMINER

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